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5 IN THE UNITED STATES DISTRICT COURT  
6 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
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8 ROBERTO H. CERON,  
9 Plaintiff,

No. C 07-05902 SI

**ORDER DISMISSING CASE**

10 v.


11 GMAC MORTGAGE,  
12 Defendant.  
13 \_\_\_\_\_/

14 On July 31, 2009, the Court issued an order for plaintiff to show cause why this case should not  
15 be dismissed for failure to prosecute and failure to timely serve defendant. The Court ordered plaintiff  
16 to file a declaration by August 14, 2009 stating why this case should not be dismissed. In its July 31  
17 order, the Court notified plaintiff that failure to comply with that order would result in dismissal of  
18 plaintiff's case.

19 Plaintiff has not filed a declaration as ordered by the Court, nor has he otherwise contacted the  
20 Court. Accordingly, the Court dismisses this case without prejudice.

21 **IT IS SO ORDERED.**

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23 Dated: August 19, 2009

  
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SUSAN ILLSTON  
United States District Judge